

**Public Chapter 281**

**SENATE BILL NO. 1530**

**By Crutchfield**

Substituted for: House Bill No. 639

By Brown, Ulysses Jones, Larry Turner

AN ACT To amend Tennessee Code Annotated, Section 57-4-102, relative to definition of a community theater.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Section 57-4-102(9), is amended by adding the following new subdivision:

(B) "Community theater" also includes a facility or theater possessing each of the following characteristics:

(i) The facility has a performance hall seating not less than two hundred fifty (250) persons, a resource library, rehearsal rooms, and permanent exhibition space of not less than nine thousand (9,000) square feet;

(ii) The facility is operated by a not-for-profit corporation which is exempt from taxation under § 501(c) of the Internal Revenue Code of 1954, as amended, where no member or officer, agent or employee of any community theater shall be paid, or directly or indirectly receive, in the form of salary or other compensation any profits from the sale of alcoholic beverages beyond the amount of such salary as may be fixed by its governing body for the reasonable performance of their assigned duties. All profits from the sale of alcoholic beverages by a not-for-profit corporation shall be used for the operation and maintenance of the facility, and in furtherance of the purposes of the organization;

(iii) The facility provides or leases facilities for concerts and programs of cultural, civic and educational interest; and

(iv) The facility is located in any county having a population of not less than two hundred eighty-five thousand (285,000) nor more than two hundred eighty-six thousand (286,000) according to the 1990 federal census or any subsequent federal census.

SECTION 2. Tennessee Code Annotated, Section 57-4-102(9) is amended by inserting the heading "(A)" immediately before the first sentence of that subdivision.

SECTION 3. Tennessee Code Annotated, Section 57-4-102(9)(A) is redesignated as Section 57-4-102(9)(A)(i).

SECTION 4. Tennessee Code Annotated, Section 57-4-102(9)(B) is redesignated as Section 57-4-102(9)(A)(ii).

SECTION 5. Tennessee Code Annotated, Section 57-4-102(9)(C) is redesignated as Section 57-4-102(9)(A)(iii).

SECTION 6. Tennessee Code Annotated, Section 57-4-102(9)(D) is redesignated as Section 57-4-102(9)(A)(iv).

SECTION 7. Tennessee Code Annotated, Section 57-4-102(9)(E) is amended by redesignating that subdivision as Section 57-4-102(9)(C) and by inserting the words "at a community theater" after the phrase "Alcoholic beverages may be sold" in such subdivision.

SECTION 8. This act shall take effect upon becoming a law, the public welfare requiring it.